

9 May 1974

To: GLC

Called Saloschin, Justice, to get the language of the criteria to be used by the court in its review of classified information. Justice proposed procedures for the court to review affidavits submitted by agency heads that information required protection under Executive Order or statute relating to national defense or foreign policy. Specifically, the court would overrule an agency head determination if it found that the decision was "without a reasonable basis under such criteria." This would relate to the Executive Order or a statute. Saloschin was of the opinion that the Director's statutory protection would be included.

Saloschin was not absolutely positive that this was the language agreed upon, but it is his understanding that the Committee accepted Justice's proposal as submitted.

PLC